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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2010-270

12 **JOSE BERLANGA**
13 **9814 Paradiso Way**
Bakersfield, CA 93306

ACCUSATION

14 **Registered Nurse License No. 367139**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs.

22 2. On or about January 1, 1983, the Board of Registered Nursing (Board) issued
23 Registered Nurse License No. 367139 to Jose Berlanga (Respondent). The Registered Nurse
24 License was in full force and effect at all times relevant to the charges brought herein and will
25 expire on September 30, 2011, unless renewed.

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1 **CAUSE FOR DISCIPLINE**

2 **(Discipline of Nevada Registered Nurse License)**

3 8. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4),
4 in that Respondent's Nevada Registered Nurse License has been disciplined by the Nevada State
5 Board of Nursing (Nevada Board). Effective September 18, 2008, the Nevada Board revoked
6 Respondent's Registered Nurse License to practice nursing in that state. However, the revocation
7 was stayed and Respondent's license was placed on probation (Restricted Licensure) for a
8 minimum of three (3) years with certain terms and conditions. The basis for discipline was that
9 while employed and working as a registered nurse and clinical manger of the operation room, at
10 the University Medical Center, in Las Vegas, Nevada, Respondent demonstrated gross negligence
11 or recklessness in carrying out usual nursing functions and failed to perform nursing functions in
12 a manner consistent with established or customary standards of one patient, which was found to
13 be unprofessional conduct, under Nevada law. The underlying conduct of Respondent which
14 resulted in discipline of his license (as described in the Agreement for Probation and Decision and
15 Order, Case No. 0336-08C, which is attached hereto as Exhibit "A" and incorporated herein by
16 reference as though fully set forth, in the subject disciplinary matter by the Nevada Board) is also
17 basis for discipline in this state.

18 **PRAYER**

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
20 and that following the hearing, the Board issue a decision:

- 21 1. Revoking or suspending Registered Nurse License No. 367139, issued to Respondent.
22 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
23 enforcement of this case, pursuant to section 125.3.

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3. Taking such other and further action as deemed necessary and proper.

DATED: 11/18/09

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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